

## **REMARKS**

Claims 46-56 and 58-65 are presently pending in this application. Claims 45 and 57 have been cancelled, claims 46-56 and 58-65 have been amended, and new claim 73 has been added in this response. More specifically, claims 55 and 64 have been rewritten in independent form without narrowing the scope of these claims.

In the Office Action dated December 7, 2004, the Examiner rejected claims 45-54, 56-63 and 65, and objected to claims 55 and 64. More specifically, the status of the application in light of this Office Action is as follows:

(A) Claims 51 and 54 were rejected under 35 U.S.C. § 112, second paragraph;

(B) Claims 45-49, 51-54, 56-63 and 65 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,110,015 to Christianson et al. ("Christianson");

(C) Claim 50 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Christianson in view of the information in the Background of the present application ("Background Information"); and

(D) Claims 55 and 64 were objected to as being dependent upon a rejected base claim, but were indicated to be allowable if rewritten in independent form to include the features of the claims from which they depend.

### **A. Response to the Section 112 Rejection**

Claims 51 and 54 were rejected under 35 U.S.C. § 112, second paragraph. Specifically, the Examiner alleged that the term "planform" in claim 51 is unclear. Although the originally filed claim is not indefinite under Section 112, second paragraph, the claim has been amended to delete this term to expedite prosecution. This amendment does not narrow the scope of this claim, and is not made for reasons related to patentability because the original claim complies with Section 112.

The Examiner further alleged that the phrase "a surfactant or an oxidizer" in claim 54 is unclear. Although the originally filed claim is not indefinite under Section 112, second paragraph, the claim has been amended to specify that the selected chemical agent includes a surfactant, an oxidizer, or both. This amendment does not narrow the scope of this claim, and is not made for reasons related to patentability because the original claim complies with Section 112.

B. Response to the Section 102(b) Rejection

Claims 45-49, 51-54, 56-63 and 65 were rejected under 35 U.S.C. § 102(b) as being anticipated by Christianson. Claims 45 and 57 have been cancelled in this response and therefore the rejection of these claims is now moot. Claims 46-49, 51-54 and 56 have been amended to depend from allowable claim 55, and claims 58-63 and 65 have been amended to depend from allowable claim 64. Accordingly, the Section 102(b) rejection of claims 46-49, 51-54, 56, 58-63 and 65 should be withdrawn.

C. Response to the Section 103(a) Rejection

Claim 50 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Christianson in view of Background Information. Claim 50 has been amended to depend from allowable claim 55. Accordingly, the Section 103(a) rejection of claim 50 should be withdrawn.

D. Allowable Subject Matter

Claims 55 and 64 were objected to as being dependent upon a rejected base claim, but were indicated to be allowable if rewritten in independent form to include the features of the claims from which they depend. Claims 55 and 64 have been amended accordingly, and therefore the objection to these claims should be withdrawn.

E. New Claim 73

New claim 73 is directed to a planarizing pad for planarizing a microelectronic substrate. The planarizing pad includes a generally planar support portion having a surface and a plurality of texture elements disposed on the surface of the support portion. Portions of the individual texture elements are spaced apart from each other

and project from the support portion. The individual texture elements have a generally smooth upper surface, smoothly transitioning to a generally smooth side surface without asperities. The texture elements cover less than 20 percent of the surface of the support portion, and the individual texture elements have a cross-sectional dimension of from approximately 50 microns to 100 microns.

Christianson fails to disclose or suggest a planarizing pad including a plurality of "texture elements cover[ing] less than 20 percent of the surface of the support portion, and wherein the individual texture elements have a cross-sectional dimension of from approximately 50 microns to 100 microns," as recited in claim 73. To the contrary, Christianson's individual abrasive composites cover "preferably about 20% to about 90%, more preferably about 40% to about 70%, and most preferably about 50% to about 60%, of the surface area of the backing." (Christianson, col. 16, ll. 36-38.) Moreover, the base of Christianson's individual abrasive composites have "a length of from about 100 to 500 micrometers." (Christianson, col. 15, ll. 63-64.) Accordingly, Christianson fails to disclose or suggest the features of new claim 73. Consequently, new claim 73 is patentable over Christianson.

#### F. Conclusion

In view of the foregoing, the claims pending in the application comply with the requirements of 35 U.S.C. § 112 and patentably define over the applied art. A Notice of

Allowance is, therefore, respectfully requested. If the Examiner has any questions or believes a telephone conference would expedite prosecution of this application, the Examiner is encouraged to call the undersigned at (206) 359-6465.

Respectfully submitted,

Perkins Coie LLP



David T. Dutcher  
Registration No. 51,638

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**Correspondence Address:**

Customer No. 25096  
Perkins Coie LLP  
P.O. Box 1247  
Seattle, Washington 98111-1247  
(206) 359-8000